## UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,	)	INDICTMENT CR13-288 DSD/TNL
Plaintiff,	)	26 U.S.C. § 7206(1)
<b>v.</b>	)	
BRIAN CHRISTOPHER NEARY,	)	
Defendant.	)	

## THE UNITED STATES GRAND JURY CHARGES THAT:

## COUNT 1

On or about December 4, 2009, in the State and District of Minnesota, the defendant,

## BRIAN CHRISTOPHER NEARY,

did willfully make and file with the Internal Revenue Service a false United States Individual Income Tax Return, Form 1040, jointly with his wife, for the taxable year ended December 31, 2007, which he signed and subscribed on or about December 4, 2009, and which was verified by a written declaration that it was made under the penalties of perjury, and which said Income Tax Return he did not believe to be true and correct as to every material matter in that Line 22 reported total income of -99,485, whereas, as he then and there well knew and believed, his adjusted gross income was substantially more than -99,485 because of his willful failure to report his gain of \$125,000 from the sale of Tower

SCANNED

DEC 0 2 2013

U.S. DISTRICT COURT ST. PAUL

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Tech stock during the taxable year ended December 31, 2007.

All in violation of Title 26, United States Code, 7206(1).

A TRUE BILL

ACTING UNITED STATES ATTORNEY FOREPERSON